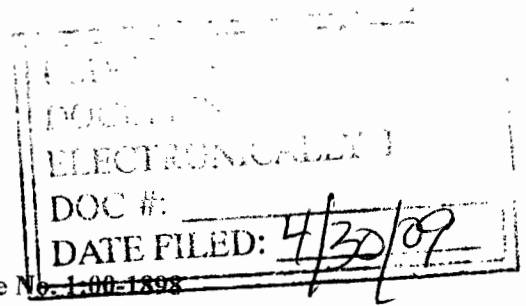


**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**In Re: Methyl Tertiary Butyl Ether  
Products  
Liability Litigation**  
This document pertains to:  
*City of New York v. Amerada Hess Corp., et  
al., Case Civil Action No. 04-CV-3417*

Master File No. ~~1:00-1898~~  
MDL 1358 (SAS)  
M21-88  
Civil Action



**STIPULATION AND ORDER DISMISSING ALL CLAIMS AGAINST MARATHON  
DEFENDANTS**


Pursuant to Federal Rule of Civil Procedure 41(a)(2), the Plaintiff City of New York and Defendants Marathon Oil Company and Marathon Petroleum Company LLC ("Marathon"), hereby request that the Court enter this voluntary dismissal with prejudice of all claims against Marathon as set forth in the Plaintiff's Fourth Amended Complaint, filed on March 9, 2007. The parties agree to the dismissal and further agree that such dismissal is with prejudice, with each party bearing its own attorneys' fees and costs. Plaintiff reserves all other rights as against all other defendants.

Dated: 4/6, 2009

  
Victor M. Sher (*Admitted Pro Hac Vice*)  
SHER LEFF LLP  
450 Mission Street, Suite 400  
San Francisco, CA 94105  
(415) 348-8300  
[vsher@sherleff.com](mailto:vsher@sherleff.com)

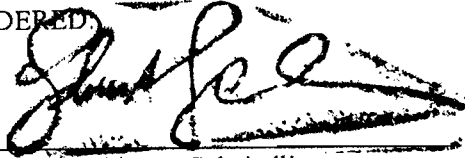
*Attorneys for Plaintiff City of New York*

Dated: 4-2-09, 2009

  
Steven L. Leifer  
BAKER BOTTS LLP  
1299 Pennsylvania Ave. NW  
Washington, DC 20004-2400  
(202) 639-7723  
[sleifer@bakerbotts.com](mailto:sleifer@bakerbotts.com)

*Attorneys for Defendants Marathon Oil  
Company and Marathon Petroleum Company  
LLC*

SO ORDERED

A handwritten signature in black ink, appearing to read 'Shira A. Scheindlin', written over a horizontal line.

The Honorable Shira A. Scheindlin  
United States District Judge

Dated: Apr 14, 2009

Apr 14, 2009